

Notice of Allowability**Application No.**

10/626,125

Applicant(s)

BECKER ET AL.

Examiner

SUSAN HANLEY

Art Unit

1651

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/25/09.
2. ☒ The allowed claim(s) is/are 1,3,5-9,11-21,23-27,29-32,34 and 36-42.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 20090325.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jill Jacobson on 3/25/09.

The application has been amended as follows:

IN THE CLAIMS:

Claim 33 was canceled.

Claim 1 was replaced by the following:

--1. A reduced aerosol generating personal care or cleaning product comprising
a) 0.0001% to about 1.5% of high molecular weight polyethylene oxide by weight;
b) an enzyme; c) an enzyme protecting agent and d) one or more personal care or cleaning product components, wherein the personal care or cleaning product is a liquid, wherein said polyethylene oxide is an anti-misting agent and the D_{v50} of the personal care or cleaning product is increased by 10% - 200% over a corresponding personal care or cleaning product, wherein the corresponding personal care or cleaning product comprises the enzyme, the enzyme protecting agent and the one or more personal care or cleaning product components but does not comprise the high molecular weight polyethylene oxide. --

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In claims 3 and 5-9 and 11, at line 1 of each claim, "formulated product" was replace by -- product --.

Claims 12 and 13 were replaced by the following:

-- 12. A method of reducing aerosol generation from a personal care or cleaning product comprising combining said product with an aqueous composition comprising a high molecular weight polyethylene oxide having a molecular weight from about 0.8×10^6 to 4×10^6 , an enzyme, and an enzyme protecting agent, thereby obtaining a modified product, wherein said modified product is a liquid, wherein the D_{v50} of said modified product is increased by 10% to 200% over the D_{v50} of a corresponding personal care or cleaning product, wherein the corresponding personal care or cleaning product comprises the enzyme and the enzyme protecting agent but does not comprise the high molecular weight polyethylene oxide.

13. The method according to claim 12, wherein the enzyme and the polyethylene oxide are added together to the personal care or cleaning product during the combining step. --

In claims 14-15, in line 2 of each claim "formulated" was replaced by

-- modified --.

In claim 16, at line 1, "formulation" was replaced by -- modified product --.

Claim 17 was replaced by the following:

-- 17. A method of decreasing enzyme exposure from a personal care or cleaning product comprising combining a personal care or cleaning product which includes one or more enzymes with an aqueous composition comprising a polyethylene oxide polymer having a molecular weight of about 0.8×10^6 to $4.0 \times$

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10⁶, wherein said polymer is an anti-misting agent, and an enzyme protecting agent, wherein the personal care or cleaning product is a liquid. --

Claim 24 was replaced by the following:

-- 24. A personal care product comprising the anti-misting enzyme composition of claim 21, wherein the personal care product is a liquid. --

In claims Claim 25, the phrase "anti-misting enzyme composition" was replaced by -- personal care product --.

Claims 26 and 27 were replaced by the following:

-- 26. A cleaning product comprising the anti-misting product of claim 21, wherein the cleaning product is a liquid.

27. The cleaning product of claim 26, wherein the cleaning product is selected from the group consisting of a detergent, a hard surface cleaner, a pre-spotting cleaner, and a carpet cleaner. --

Claim 30 was replaced by the following:

-- 30. A method for producing a reduced aerosol generating personal care or cleaning product, said method comprising combining 0.0001% to about 5.0% of high molecular weight polyethylene oxide by weight with an enzyme, an enzyme protecting agent, and one or more personal care or cleaning product components to obtain a personal care or cleaning product having reduced aerosol generation in comparison with a corresponding personal care or cleaning product, wherein the corresponding product comprises the enzyme, the enzyme protecting agent and the one or more personal care or cleaning product components but does not

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comprise said polyethylene oxide, wherein said high molecular weight polyethylene oxide comprises a molecular weight of about 0.8×10^6 to about 4×10^6 , wherein the reduced aerosol generating personal care or cleaning product is a liquid, and wherein the reduced aerosol generation reduces enzyme exposure in comparison to said corresponding product. --

Claim 34 was replaced by the following:

-- 34. A method of reducing aerosol generation of an enzyme-containing personal care or cleaning product comprising combining said product with a composition comprising an enzyme protecting agent and a polyethylene oxide polymer having a molecular weight from about 0.8×10^6 to about 4×10^6 to obtain a modified enzyme-containing personal care or cleaning product wherein the concentration of the polymer is from about 0.0001% to about 1.5% of the modified product by weight, wherein the modified product is a liquid, and wherein the Dv_{50} of the modified product increases by 10% - 200% in comparison with a corresponding enzyme-containing personal care or cleaning product, wherein the corresponding personal care or cleaning product comprises the enzyme and the enzyme protecting agent but does not comprise the polyethylene oxide polymer. --

The dependency of claim 42 was changed from "36" to -- 34 --.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SUSAN HANLEY whose telephone number is (571)272-2508. The examiner can normally be reached on M-F 9:00-5:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Wityshyn can be reached on 571-272-0926. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sandra Saucier/
Primary Examiner, Art Unit 1651

/Susan Hanley/
Examiner, Art Unit 1651